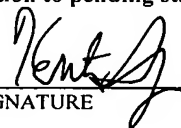


FORM PTO-1390 (REV 10-95)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			24717-719
			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) Unknown <b>10/070339</b>
INTERNATIONAL APPLICATION NO. PCT/US01/32309	INTERNATIONAL FILING DATE 17 October 2001	PRIORITY DATE CLAIMED 17 October 2000	
TITLE OF INVENTION Method-And Apparatus For Communicating Data Within Measurement Traffic			
APPLICANT(S) FOR DO/EO/US Wayne Feick, Jose-Miguel P. Villaverde, Mansour J. Karam, Michael A. Lloyd, Omar C. Balondado, Sean P. Finn, James G. McGuire, Herbert S. Madan			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 37(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11. To 16. below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. <ol style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ol> </li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input type="checkbox"/> Other items or information: Copy of International Search Report and PCT Publication document.</li> </ol>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) Unknown <b>10/070339</b>		INTERNATIONAL APPLICATION NO. PCT/US01/32309		ATTORNEY'S DOCKET NUMBER 24717-719	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ..... \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$710.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO ..... \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT - Article 33(2)-(4) ..... \$96.00 <div style="text-align: right; margin-top: 10px;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS</b> <b>PTO USE ONLY</b> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130	
CLAIMS	NUMBER	NUMBER EXTRA	RATE		
Total claims	49 - 20 =	29	29 X \$18.00	\$ 522	
Independent claims	4 - 3 =	1	1 X \$84.00	\$ 84	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$260.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,446	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement is claimed under 37 CFR 1.27.				\$ 723	
<b>SUBTOTAL =</b>				\$ 723	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 723	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 723	
				<b>Amount to be:</b> <b>refunded</b> \$	
				<b>Charged</b> \$ 723	
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 23-2415 in the amount of \$723 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 23-2415. A duplicate of this sheet is enclosed. d. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R.1.27. <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.</b>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           SEND ALL CORRESPONDENCE TO:            Wilson Sonsini Goodrich &amp; Rosati            650 Page Mill Road            Palo Alto, California 94304-1050            (650) 493-9300            Customer No. 021971         </div> <div style="width: 45%; text-align: center;">             SIGNATURE            Kenta Suzue            NAME            45,145            REGISTRATION NUMBER         </div> </div>					

Attorney Docket No. 24717-719

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	<u>PATENT APPLICATION</u>
Inventor(s): Wayne Feick et. al.	)	
Application No.: Unknown	)	
Filed: Herewith	)	Examiner: Unknown
Title: Method And Apparatus For	)	
Communicating Data Within Measurement Traffic	)	

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER  
37 C.F.R., § 1.10**

Express Mail Label No.: EL 713754114 US

Deposited: February 27, 2002

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 with Mailing Label Number filled in above and addressed to the Commissioner for Patents, Washington, D.C. 20231 on DATE OF DEPOSIT filled in above.

Donna L. Hengst (Signature)  
By: Donna L. Hengst (Typed Name)  
Signature Date: February 27, 2002

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, D.C. 20231  
Attn: BOX PATENT APPLICATION

Dear Sir:

Transmitted herewith for filing are documents in the above-identified patent application as follows:

1. Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371; and
2. Preliminary Amendment.

24717-719

The total fee due is \$723, and is provided as follows:

☒ Charge \$723 to Deposit Account No. 23-2415.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No.23-2415 (Attorney Docket No. 24717-719). This paper is submitted in duplicate.

Respectfully submitted,

Date: February 27, 2002

By:



Kenta Suzue  
Registration No. 45,145

WILSON SONSINI GOODRICH & ROSATI  
650 Page Mill Road  
Palo Alto, California 94304-1050  
Telephone: (650) 493-9300  
Client No. 021971